

In the Supreme Court of the State of Idaho

IN RE: AMENDMENT OF IDAHO)
MISDEMEANOR CRIMINAL RULE 14) ORDER
_____)

The Court having reviewed a proposed amendment to the Misdemeanor Criminal Rules, and the Court having fully considered the same;

NOW, THEREFORE, IT IS HEREBY ORDERED that the Misdemeanor Criminal Rules, as they appear in the volume published by the Idaho Code Commission be, and they are hereby, amended as follows:

1. That Misdemeanor Criminal Rule 14 be, and the same is hereby, amended to read as follows:

Rule 14. Disposition of citations by written plea of guilty – Limitations – Deferred payment agreements.

(a) **Written Plea of Guilty.** Subject to the limitations of subsection (b) of this rule, any person charged with a misdemeanor by a uniform citation or complaint may sign a written plea of guilty on the citation and pay the fine and court costs. The amount of the fine and court costs to be assessed for an offense under a written plea of guilty shall be the bail bond amount provided in Rule 13. Upon the entry of a written plea of guilty under this rule, the clerk shall enter a judgment of conviction and shall collect the payment of the fine and court costs or enter into a deferred payment agreement with the defendant as provided in Rule 8. If a defendant appears before a judge or magistrate, or if a judge or magistrate reviews the file of a defendant and finds that summary disposition under this rule is not appropriate, in either event the summary disposition under this Rule 14(a) shall not apply and the Court shall make disposition of the case.

(b) **Limitation on offenses for written plea of guilty.** A written plea of guilty can be accepted under subsection (a) of this rule only if the required bail bond under Rule 13 does not exceed:

(1) \$194.00 for a motor vehicle offense.

(2) \$500.00 for offenses under I.C. Sections 49-432, 49-432(2)(a), 49-432(2)(b) and 63-2441.

(23) \$4,021.50 for offenses under I.C. Sections 49-1001, 49-1002, 49-1004, and 49-1005; \$339.00 for violations of I.C. Sections 49-1427, and Rules under I.C. Section 67-2901A and \$194.00 for the other offenses listed under Rule 13(b)(3).

(34) \$109.00 for any fish or game offense, except those where the citation indicates the offense requires suspension of a license or payment of a civil penalty.

(45) \$194.00 for any other offense.

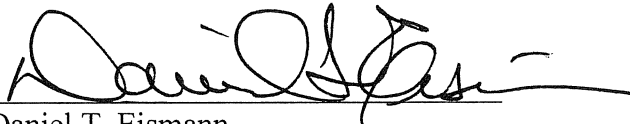
IT IS FURTHER ORDERED, that the amendments herein shall be effective immediately.

IT IS FURTHER ORDERED, that the above designation of the striking of words from the Rules by lining through them, and the designation of the addition of new portions of the Rules by underlining such new portion is for the purposes of information only as amended, and NO OTHER AMENDMENTS ARE INTENDED. The lining through and underlining shall not be considered a part of the permanent Misdemeanor Criminal Rules.

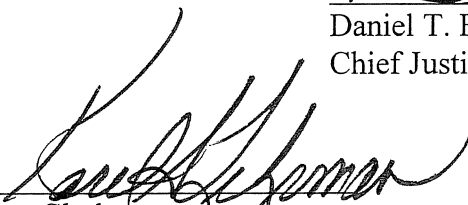
IT IS FURTHER ORDERED, that the Clerk of the Court shall cause notice of this Order to be published in one issue of *The Advocate*.

DATED this 9 day of February, 2009.

By Order of the Supreme Court


Daniel T. Eismann,
Chief Justice

ATTEST:


Clerk

I, Stephen W. Kenyon, Clerk of the Supreme Court
of the State of Idaho, do hereby certify that the
above is a true and correct copy of the Order
entered in the above entitled cause and now on
record in my office.
WITNESS my hand and the Seal of this Court 2-9-09


STEPHEN W. KENYON
Clerk

By:  Chief Deputy